

APPLICATION FOR WRIT OF HABEAS CORPUS
UNITED STATES DISTRICT COURT

UNITED STATES OF AMERICA

- against -

Gasper Marciante

Defendant.

☒ 10 CR 046
☐ Criminal Miscellaneous

The undersigned ☒ Assistant U.S. Attorney ☐ Special Attorney hereby applies to the captioned court for the issuance of a writ of habeas corpus ☒ ad prosequendum ☐ ad testificandum ☐ in re a motion pursuant to 28 U.S.C. § 2255 and avers:

1. Name of detainee (and detainee number, if known): Gasper Marciante, DOB: 10-30-1966,
Book & Case No. 5410903033

2. Detained by ☐ Warden, New York Metropolitan Correctional Center, New York, New York
☒ Warden, New York State Department of Corrections/Parole, Otis Bantum Correctional Center (OBCC), Riker's Island
☐ Other:

(Specify title of custodian and name and location of detention facility)

3. Detainee is ☒ charged in this district by ☒ Indictment ☐ Information ☐ complaint with,
OR ☐ was convicted in this district of, violating Title 18, U.S.C. § 1951(a), OR ☐ is a witness not
otherwise available by the ordinary process of the Court.

4. Appearance is necessary on February 16, at 2 o'clock P M ☒ in
Courtroom Number 2A, OR ☐ before the Federal Grand Jury sitting in Room Number, of the United States
Courthouse for this district, for ☒ arraignment ☐ plea ☐ trial ☐ sentencing
☐ in re a motion pursuant to 28 U.S.C. § 2255 ☐ the purpose of giving necessary testimony in the captioned proceeding
☐ other purpose(s), specifically

Sworn to before me this
9th day of February

2010

LINDA THORNTON
Notary Public, State of New York
No. 01TH6074799

Qualified in Kings County
Commission Expires May 20, 2010

WRIT OF HABEAS CORPUS

☒ Ad Prosequendum

☐ Ad Testificandum

☐ In Re Motion to Vacate

The instant application is granted and the above-named custodian, as well as the United States Marshal for this district, his deputies, and all other United States Marshals and their deputies, is and are each directed to produce the named detainee, in civilian clothes, on the date, at the time, and in the place recited above, and thereafter to maintain the said detainee within the jurisdiction of this Court pending the satisfaction of this writ or the further orders of the Court.

Dated: Brooklyn, New York

February 9, 2010

ROBERT C. HEINEMANN

CLERK, E.D.N.Y.

Deputy Clerk

Lan Nguyen

☒ Assistant United States Attorney
Eastern District of New York

☐ Special Assistant United States Attorney

s/ MJ Orenstein

U. S. M. J.

